

REMARKS

Claims 40 and 56-75 are presently pending in this application. Claim 40 has been amended to direct this claim to different subject matter, claims 41-55 have been cancelled without prejudice, and claims 56-75 have been added to the application in this paper. The subject matter of claims 40 and 56-75 is fully supported in the originally filed specification at, for example, the text on pages 49-52 and in Figures 24-28.

In the Office Action dated September 8, 2004, claims 40-55 were rejected under 35 U.S.C. § 112, first paragraph. More specifically, these claims were rejected on the grounds that the recitation of "a bowl leveler connected between said process bowl and said frame" does not agree with the specification or Figure 8. Claims 47 and 54 were rejected on the grounds that the term "process base" does not appear to have been used or defined in the specification.

The rejection of claims 40-55 under 35 U.S.C. § 112, first paragraph, is without merit. First, the originally filed text states "To assist in insuring that process fluid overflows into the annular gap 632 evenly . . . levelers are preferably provided with the process bowl assembly 603." (Page 17, line 19-23.) The originally filed specification further states "The levelers may consist of jack screws threaded within the edge of module deck plate 666 and in contact with the process module frame 606 so as to elevate the process bowl assembly 603 relative to the process module 20." (Page 18, lines 7-10.) As a result, the phrase "the bowl leveler connected between said process bowl and said frame for leveling said process bowl relative to said frame" is fully supported by the originally filed specification. Although the rejection of claim 40 under 35 U.S.C. § 112, first paragraph, is without merit, this rejection is now moot because claim 40 has been amended to delete the "bowl leveler" feature.

Claim 40 should be given the full scope of equivalents because the amendment to claim 40 was not done for the purposes of patentability, but rather to pursue subject matter that is more relevant to current processing tools. Moreover, because the rejection of claim 40 under Section 112, first paragraph, was without merit for the

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reasons explained above, the amendment to claim 40 was not made to comply with the requirements of Section 112. As a result, claim 40 should be accorded the full scope of equivalents under the Doctrine of Equivalents.

In view of the foregoing, the pending claims comply with 35 U.S.C. § 112 and are patentable over the applied art. The applicants respectfully request reconsideration of the application and a mailing of a Notice of Allowance. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to call the undersigned at (206) 359-3258.

Respectfully submitted,

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